

LAW OFFICES  
FRITZ R. KAHN, P.C.  
1919 M STREET, NW. (7<sup>TH</sup> FL.)  
WASHINGTON, DC 20036  
Tel.: (202) 263-4152 Fax: (202) 331-8330  
e-mail: xiccg@gmail.com

December 12, 2013

U.S. National Park Service  
100 Alabama St., SW  
Atlanta, GA 30303

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


Dear Sir/Madam:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

GRYR is providing this Report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the STB's Office of Environmental Analysis, 395 E Street, SW, Washington, DC 20423 (tel.: (202) 245-0295) and refer to the above docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments, with a copy to me, would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning the proposal, please contact me by mail, e-mail or telephone.

Sincerely yours,

  
Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

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December 12, 2013

Ms. Beth Walls  
U.S. Environmental Protection Agency  
61 Forsyth St., SW  
Atlanta, GA 30303

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption

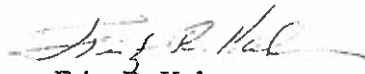
Dear Ms. Walls:

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December 12, 2013

Ms. Willa J. Brantley  
Department of Marine Resources  
1141 Bayview Avenue  
Biloxi, MS 39530

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


Dear Ms. Brantley:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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e-mail: xicgc@gmail.com

December 12, 2013

Mr. Steve Gard  
U.S. Fish & Wildlife Service  
P. O. Box 1070  
Grenada, MS 38901

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


Dear Mr. Gard:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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e-mail: xicgc@gmail.com

December 12, 2013

Ms. Amiee D. Parker  
U.S. Army Corp of Engineers  
4155 Clay Street  
Vicksburg, MS 39183-3435

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption

Dear Ms. Parker:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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e-mail: xicccg@gmail.com

December 12, 2013

USDA Natural Resources Conservation Service  
100 W. Capitol St. (Ste. 831)  
Jackson, MS 39269

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption

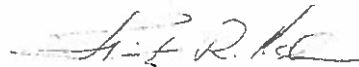
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e-mail: xiccg@gmail.com

December 12, 2013

Department of Environmental Quality  
P. O. Box 2261  
Jackson, MS 39225

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


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December 12, 2013

Ms. Evona Loving, Admin. Asst.  
Office of Budget and Fund Management  
501 No. West St. (Ste. 1301 – E)  
Jackson, MS 39201

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


Dear Ms. Loving:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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WASHINGTON, DC 20036  
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e-mail: xiccgc@gmail.com

December 12, 2013

Mr. Simon Monroe  
NOAA M/NGS2  
1315 East-West Highway  
Silver Spring, MD 20910

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption


Dear Mr. Monroe:

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cc: Victoria J. Rutson, Esq.

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WASHINGTON, DC 20036  
Tel.: (202) 263-4152 Fax: (202) 331-8330  
e-mail: xicgc@gmail.com

December 12, 2013

Mr. H. T. Holmes  
State Historic Preservation Officer  
100 South State St.  
Jackson, MS 39201

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –  
Notice of Exemption

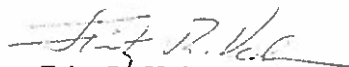
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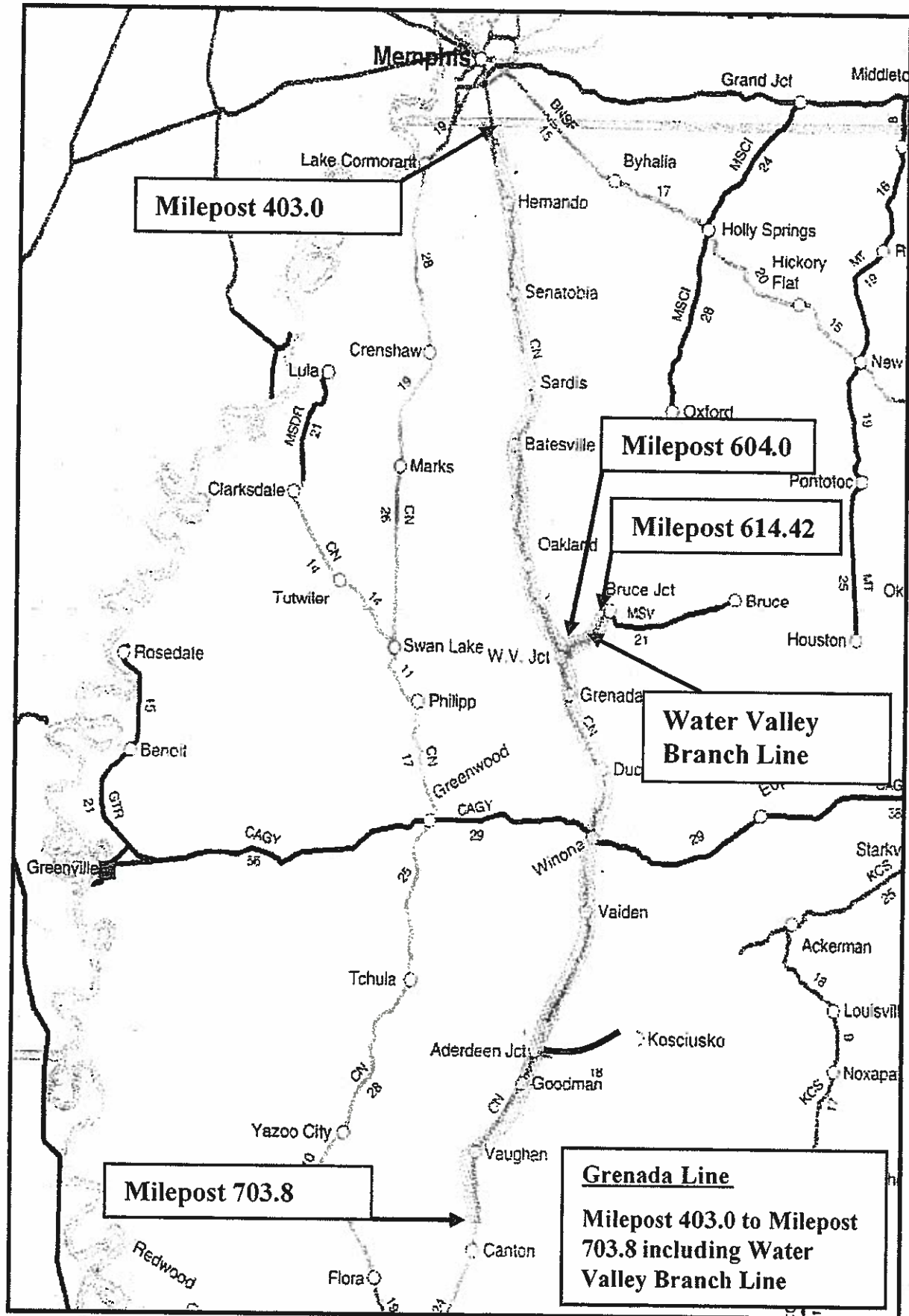
Sincerely yours,

  
Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

# Map

# Exhibit A



## SURFACE TRANSPORTATION BOARD

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Docket No. AB 1087 (Sub-No. 2)

GRENADA RAILWAY LLC  
-- ABANDONMENT EXEMPTION --  
IN YALOBUSHA COUNTY, MISS.

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### ENVIRONMENTAL AND HISTORIC REPORT

Grenada Railway LLC ("GRYR"), pursuant to 49 C.F.R. § 1152.50, submits this Environmental and Historic Report in support of its Notice of Exemption.

1. Proposed action and alternatives. The line which GRYR proposes to abandon extends between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi ("Rail Line"). The Rail Line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the Rail Line, namely: Water Valley and Bruce.

The Rail Line was acquired as a rail carrier by GRYR from its former owner and operator, Illinois Central Railroad Company ("IC"), pursuant to the Verified Notice of Exemption in Docket No. FD 35247, Grenada Railway LLC--Acquisition and Operation Exemption--Illinois Central Railroad Company and Waterloo Railway Company, served May 29, 2009, 74 Fed. Reg. 25799, May 29, 2009.

No local or overhead traffic has moved over the 10.42-mile Rail Line of railroad in at least two years' time.

The Rail Line proposed for abandonment includes 12 bridges, trestles and culverts which are 50 years old or older, most of them being ordinary timber open deck bridges or

concrete culverts, and none will be removed or otherwise disturbed, so that the right-of-way of the line to be abandoned might serve a public purpose or be used for a recreational trail.

Based on information in GRYR's possession, the Rail Line proposed to be abandoned does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

2. Transportation systems. As already noted, no local or overhead traffic has moved over the 10.42-mile Rail Line in at least two years time, and it is unlikely that traffic will move over the Rail within the foreseeable future. By letters dated October 17 and November 6, 2013, copies of which were sent to Director Rutson of the Board's Office of Environmental Analysis ("OEA"), GRYR's representative advised the Mississippi Office of Budget and Fund Management of the proposed abandonment of the Rail Line, the function of the Clearinghouse Officer having been abolished. To date no reply has been received.

3. Land use. By letter dated October 17 and November 6, 2013, copies of which were sent to OEA, GRYR's representative advised the USDA Natural Resources Conservation Service in Mississippi of the proposed abandonment of the Water Valley Junction-to-Bruce Junction line, and to date no reply has been received.

4. Energy. No material increase in energy consumption will result from the proposed abandonment, since there are no shippers on the Rail Line. Rail service is available at Water Valley, and truck transportation is available via Mississippi Highway 32 between Water Valley and Bruce. By letters dated October 17 and November 6, 2013, copies of which were sent to OEA, GRYR's representative advised the U.S.

Environmental Protection Agency and Mississippi Department of Environmental Quality of the proposed abandonment. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

5. Air. No material emissions or pollutants will despoil the air as a result of the proposed abandonment of the Rail Line. The threshold levels of 49 C.F.R. § 1105.7(e)(5)(i)-(iii) will not be exceeded. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the U.S. Environmental Protection Agency and Mississippi Department of Environmental Quality of the proposed abandonment of the Water Valley-to-Bruce railroad line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

6. Noise. No material increase in the level of noise will result from the proposed abandonment of the Rail Line. The threshold levels of 49 C.F.R. § 1105.7(e)(6)(i) & (ii) will not be exceeded. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality of the proposed abandonment of the Water Valley-to-Bruce railroad line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

7. Safety. There will be no material additional highway traffic, especially on Mississippi Highway 32, as a result of the proposed abandonment of the Rail Line and, hence, no greater risk to public safety. By letters dated October 17 and November 6,

2013, with copies to OEA, GRYR's representative advised the Mississippi Office of Budget and Fund Management of the proposed abandonment of the Water Valley-to-Bruce railroad line, the function of the Clearinghouse Officer having been abolished. To date no reply has been received.

GRYR is unaware of any hazardous waste sites or sites on which there were hazardous spills on the right-of-way of the Rail Line proposed for abandonment.

8. Biological resources. The proposed abandonment of the Rail Line will not affect endangered or threatened animal or plant species or areas designated as critical habitats, as far as GRYR is aware. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative notified the U.S. Environmental Protection Agency, the Mississippi Department of Environmental Quality Protection Agency and the U.S. Fish and Wildlife Service of the proposed abandonment of the Water Valley-to-Bruce railroad line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received the Mississippi agency or from the U.S. Fish and Wildlife Service.

9. Water. The proposed abandonment of the Rail Line will not affect Federal or Mississippi local water quality standards of which GRYR is aware. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative notified the U.S. Army Corps of Engineers and the Mississippi Department of Marine Resources of the proposed abandonment of the Water Valley-to-Bruce railroad line. Attached as Exhibit 2 is a copy of the letter, dated October 25, 2013, from Ms. Willa J. Brantley, Bureau Director, Wetlands Permitting of the Mississippi Department of Marine Resources, stating that the abandonment would have no direct or indirect impact on

coastal wetlands. To date no reply has been received from the U.S. Army Corps of Engineers.

GRYR is unaware of any designated wetlands or 100-year flood plains through which the railroad line proposed for abandonment passes.

10. Proposed mitigation. Since the proposed abandonment of the Rail Line will result in no material adverse environmental impacts, GRYR perceives of no need for mitigating measures. Nevertheless, in accordance with the Board's regulations, by letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the Mississippi Office of Budget and Fund Management, the National Park Service and the National Geodetic Survey of the proposed abandonment of the Water Valley-to-Bruce railroad line. To date no replies have been received from these agencies.

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#### HISTORIC REPORT

1. There is a map of the Rail Line proposed for abandonment.
2. The right-of-way of the Rail Line proposed to be abandoned is 100 feet in width. The Rail Line runs through rural central Mississippi, between Water Valley Junction and Bruce Junction. Water Valley has a population of about 3,392, and Bruce has a population of about 1,925. The 10.42-mile Rail Line is generally flat.
3. There are no fewer than 24 photographs of the 12 bridges, trestles and culverts 50 years or older on the Rail Line and their immediate surrounding areas. A set of color photographs has been sent to the Mississippi State Historic Preservation Officer, and another set of color photographs has been delivered to the Director of the Office of Environmental Analysis.



4. The Waterloo Railroad, a subsidiary of the Illinois Central Railroad Company ("IC"), was built in the late 1920s to provide a connection between the IC and the Mississippi & Skuna Valley Railroad Company, a 21-mile railroad extending between Bruce Junction and Bruce, where The Weyerhaeuser Company had a lumber mill.

5. GRYR acquired the Waterloo Railway Company pursuant to the verified notice of exemption in Docket No. FD 35247, Grenada Railway, LLC--Acquisition and Operation Exemption--Illinois Central Railroad Company and Waterloo Railway Company, served May 29, 2009, 75 Fed. Reg. 25799, May 29, 2009. The 12 bridges, trestles and culverts 50 years old or older will remain in place if the Board were to authorize the Rail Line's abandonment. GRYR has not plans to demolish or remove any of those structures following the Rail Line's abandonment.

6. GRYR did not receive from IC when it purchased the Waterloo Railway Company any engineering drawings or other documents useful in documenting the history of the 12 bridges, trestles and culverts 50 years old or older situated on the Rail Line, and none is in its possession.

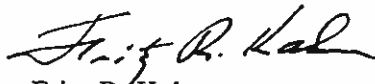
7. The 12 bridges, trestles and culverts 50 years old or older are ordinary, rudimentary railroad structures, and there is nothing distinguished about them which would warrant their listing in the National Register of Historic Places. The Rail Line has been in operation for nearly a century, and, therefore, it is unlikely that there are any archeological resources or any other previously unknown historic properties in the immediate area adjacent to the Rail Line proposed to be abandoned.

8. There is no evidence of ground disturbances or fill which might affect the archeological recovery of resources along the Rail Line and the surrounding terrain, and GRYR has no knowledge of such changes in the subject area's environmental conditions.

Respectfully submitted,

GRENADA RAILWAY LLC

By its attorney,



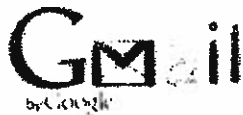
Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1919 M Street, NW (7th fl.)  
Washington, DC 20036  
Tel.: (202) 263-4152

Dated: December 11, 2013

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## EXHIBIT 1

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Fritz Kahn <xiccgc@gmail.com>

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**Grenada Railway LLC**

1 message

**Walls, Beth** <Walls.Beth@epa.gov>  
To: "xiccgc@gmail.com" <xiccgc@gmail.com>  
Cc: "Walls, Beth" <Walls.Beth@epa.gov>

Wed, Nov 20, 2013 at 10:33 AM

Dear Mr. Kahn:

I am responding on behalf of Heinz Mueller (addressee) regarding your November 6, 2013, letter to US. EPA, Region 4, requesting EPA's response regarding the proposed 77.7 mile rail-line abandonment project within Mississippi six counties, Alabama. I apologize for our delay in responding; however, due to work load and shutdown furlough constraints, we've not been able to respond as timely as we would prefer.

Little environmental information regarding potential environmental impacts has been provided to the above-referenced letter or the enclosed map depicting the project location.

Since there is no environmental assessment or impact study provided with this letter, I am uncertain how EPA may be of assistance to your effort to draft an environmental and historic report. I recommend close coordination with and compliance with the Mississippi Department of Environmental Quality because most of the federal programs EPA administers has been delegated to that agency.

Sincerely,

Beth Walls,

Environmental Scientist,

US EPA, Region 4

404-562-8309

## EXHIBIT 2

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**MISSISSIPPI  
DEPARTMENT OF MARINE RESOURCES**

October 25, 2013

Fritz R. Kahn, P.C.  
1919 M Street, NW (7<sup>th</sup> fl.)  
Washington, DC 20036

RE: DMR-140138; Grenada Railway, LLC

Dear Mr. Kahn:

The Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The Department has received your request to review Grenada Railway, LLC's proposed abandonment of 77.7 miles of railway between Elliott, MS and Canton, MS, in Grenada, Montgomery, Carroll, Holmes, Yazoo, and Madison Counties; and abandonment of 11.42 miles of railway between Water Valley Junction and Bruce Junction in Yalobusha County, MS. Please note that Mississippi Coastal Zone Consistency is only required within the three coastal counties of Jackson, Harrison, and Hancock. However, if the proposed activities will impact wetlands, these are activities that are regulated by the U.S. Army Corps of Engineers. Thank you for the opportunity to comment on your project.

For more information or questions concerning this correspondence, contact Greg Christodoulou with the Bureau of Wetlands Permitting at (228) 523-4109 or [greg.christodoulou@dmr.ms.gov](mailto:greg.christodoulou@dmr.ms.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Willa J. Brantley", with a long horizontal line extending to the right.

Willa J. Brantley  
Bureau Director, Wetlands Permitting

WJB/gsc



MP 613.1





MP 613.1





MP 611.51



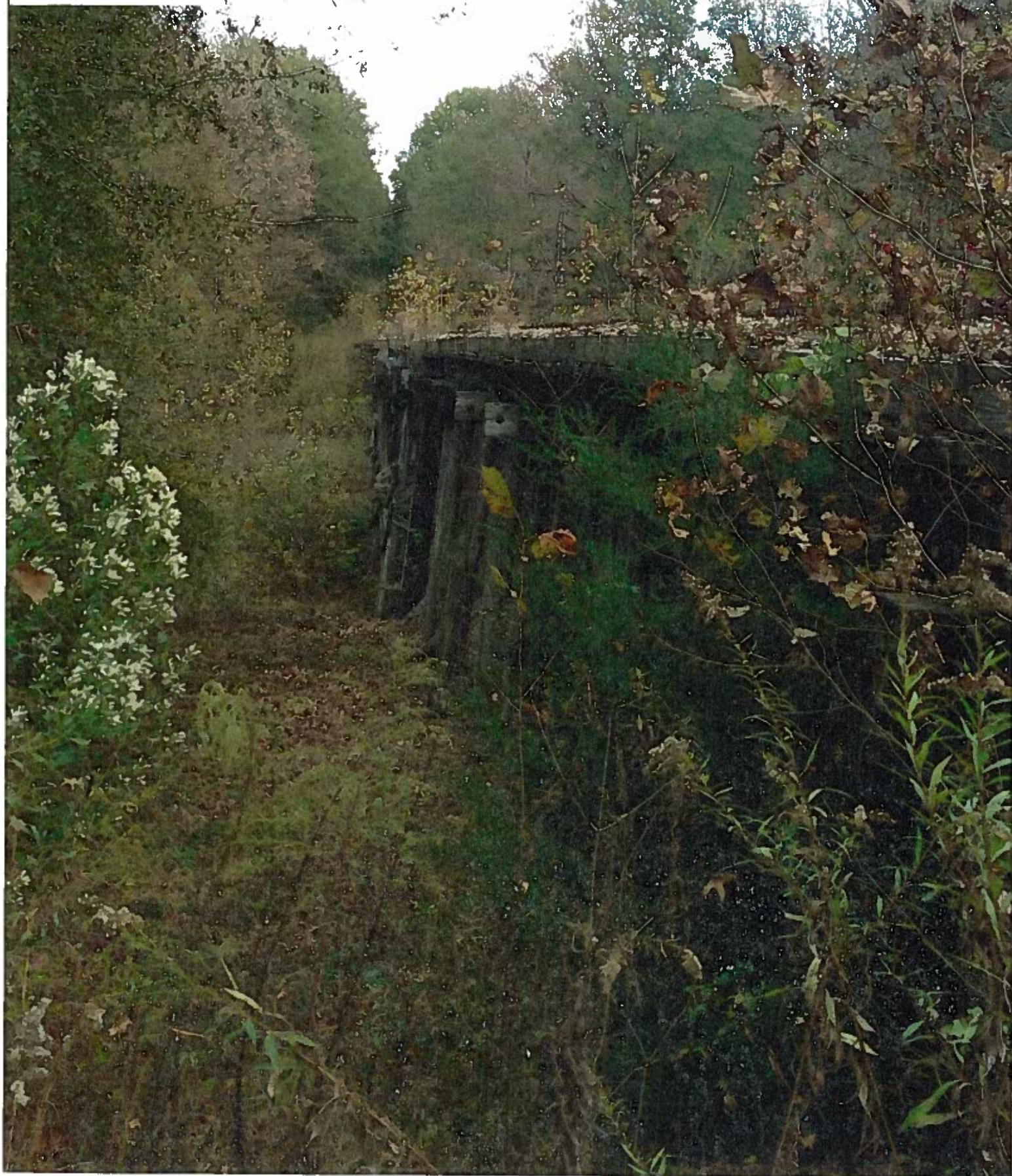


MP 611.51





MP 610.73





MP 610.73





MP 609.9





MP 609.9





MP 609.8





MP 609.8





MP 609.51



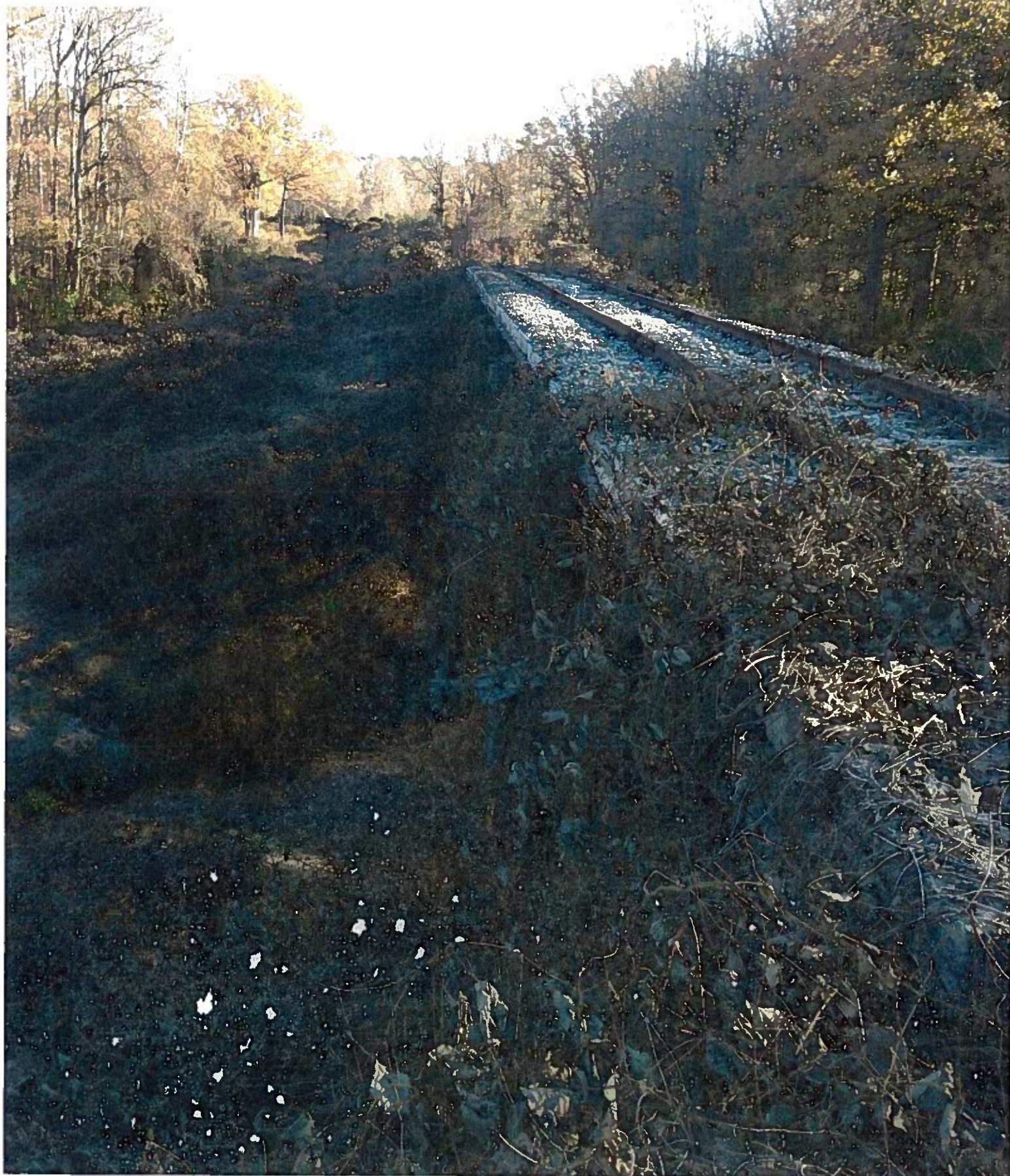


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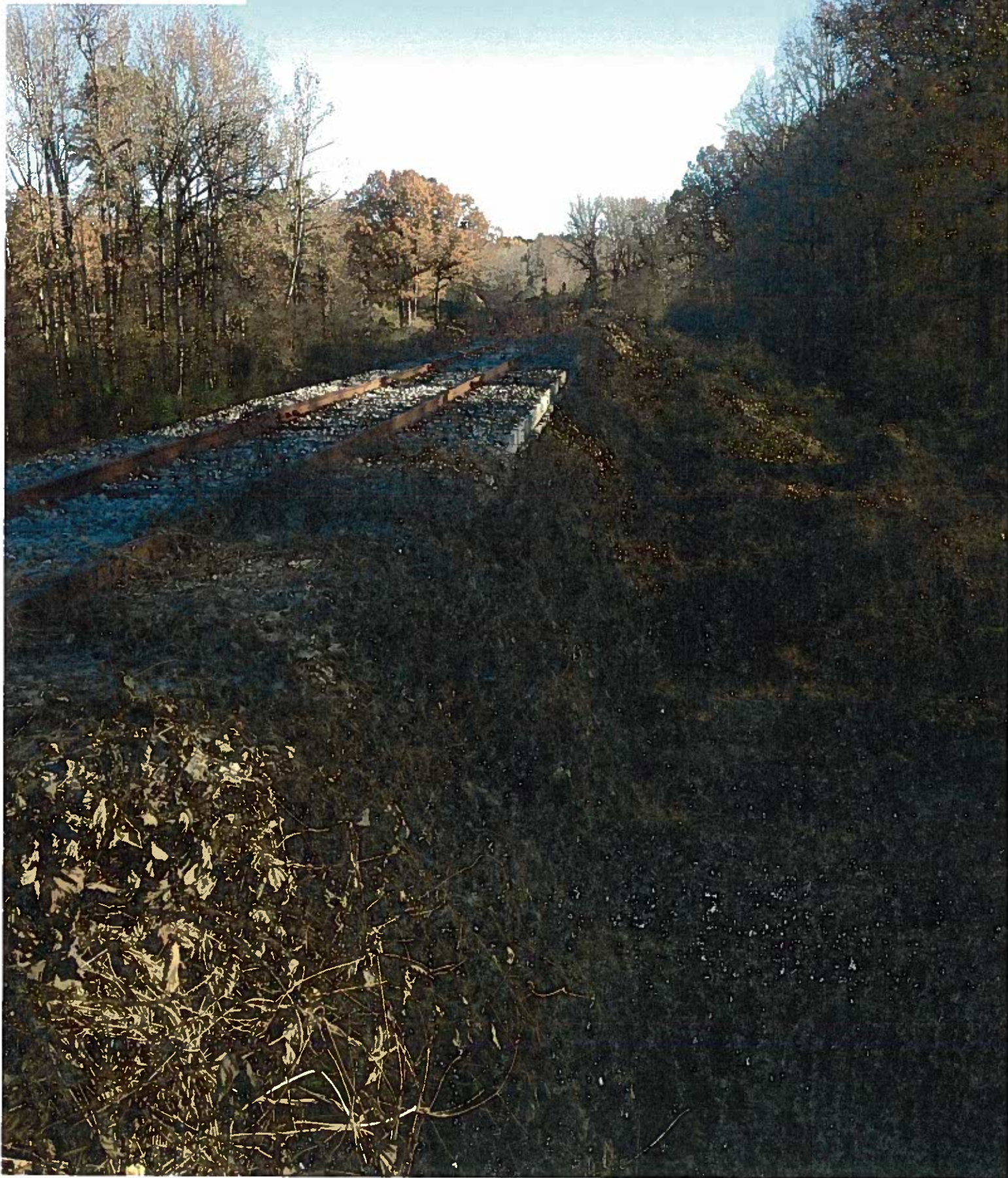


MP 608.56





MP 608.56





MP 608.29





MP 608.29



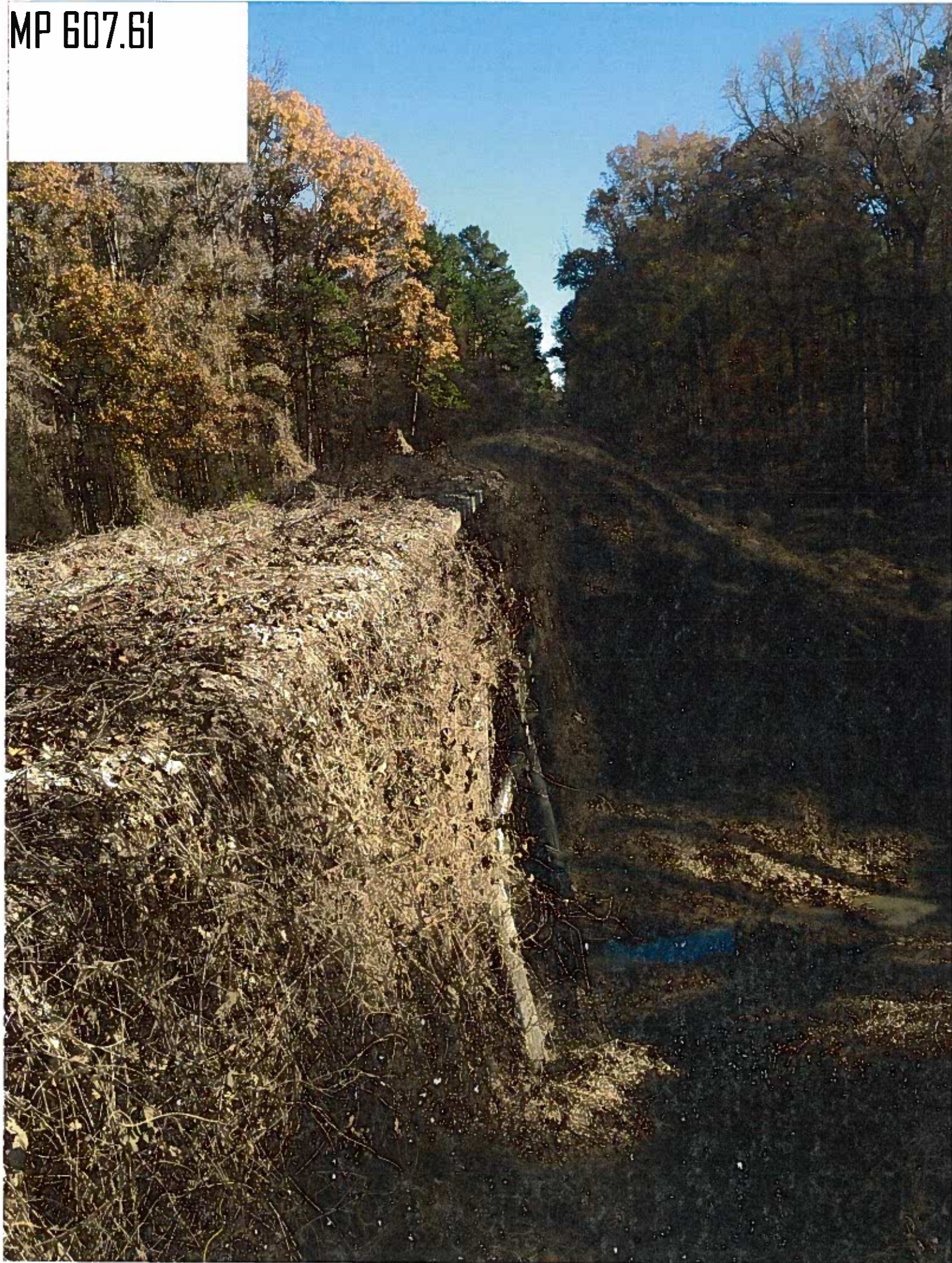


MP 607.61





MP 607.61





MP 606.9



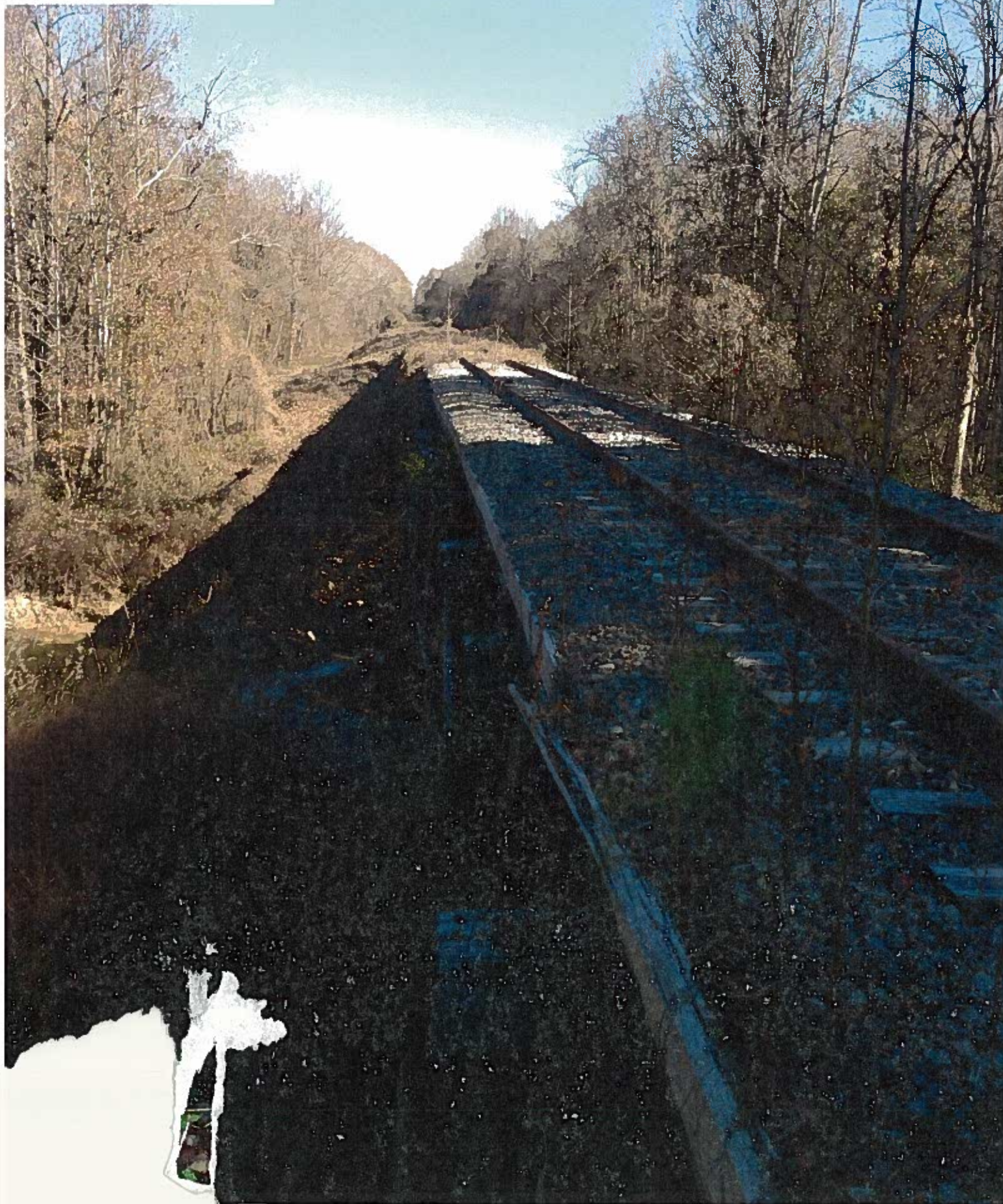


MP 606.9





MP 606.46



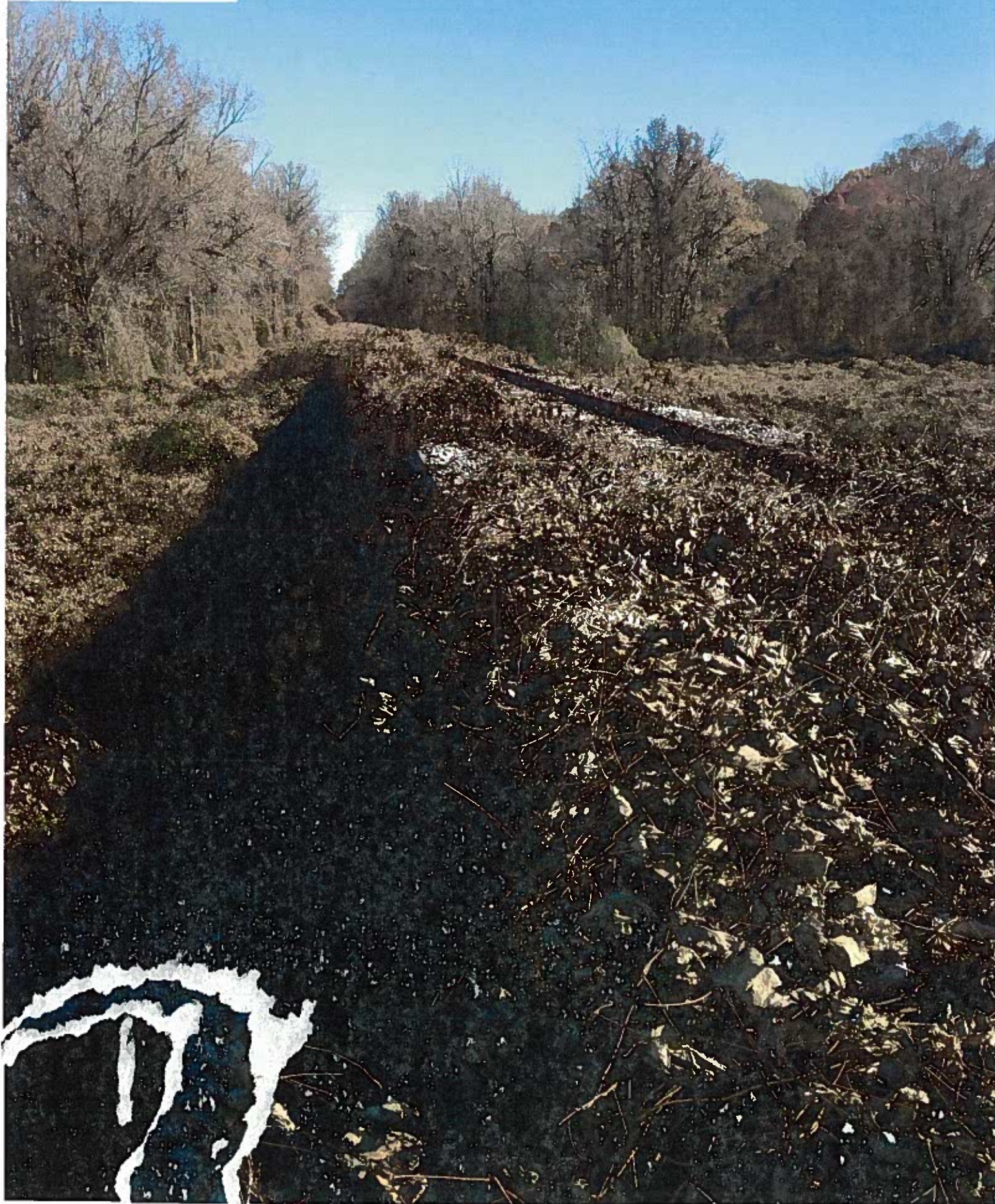


MP 606.46





MP 604.30





MP 604.30

